

Chapter 15.40**ACTIVATION OF IDLE WELLS**

(280-4/26, 418-10/38, 515-9/47, 1203-5/66, 1559-4/70, 1653-11/71, 1814-2/73, 2186-6/77, 2228-10/77, 2309-9/78, 2321-10/78, 2351-3/79, 3037-5/90)

Sections:

- 15.40.010 Activation Permit Required
- 15.40.020 Application and Fee
- 15.40.030 Action by Fire Chief and Director of Community Development
- 15.40.040 Expiration of Permit
- 15.40.050 Test Permit
- 15.40.060 Cease and Desist Order

15.40.010 Activation Permit Required. No person shall activate or put into production any oil well that is an idle well pursuant to this code, or any well whose drill site has been cleaned and restored in accordance with this code, unless an activation permit has been first obtained pursuant to the provisions of this title. (2491-7/81)

15.40.020 Application and Fee. An application, on a form provided by the Fire Department, shall be filed with the Fire Department together with the required permit fee. The application shall include a plot plan and such other information necessary to show that the property and the oil operation will comply with the provisions of this title and the Huntington Beach Ordinance Code.

No activation permit application shall be accepted by the Fire Department unless the property on which the well is located may be lawfully used for oil operations in accordance with the provisions of the Huntington Beach Ordinance Code and the required permit application fee is paid. Such fee shall not be refundable. (2491-7/81)

15.40.030 Action by Fire Chief and Director of Community Development. Within ten (10) working days after such application is filed, the Fire Chief and the Director of Community Development shall review the application. If the Fire Chief finds that activation of the well as requested in the application and the property on which the oil operation is to be located meets all of the requirements of this title, and if the Director of Community Development determines that all applicable provisions of the Huntington Beach Ordinance Code have been met, the Fire Chief shall issue the activation permit. If the Director of Community Development is unable to find compliance with the application provisions of the Huntington Beach Ordinance Code, the Fire Chief shall deny the permit and shall give notice to the applicant of such denial. (2491-7/81)

15.40.040 Expiration of Permit. Any activation permit issued under the provisions of this title shall expire by limitation and become null and void if the oil operation authorized by such permit is not commenced within 120 days from the date of issuance of such permit. (2491-7/81)

15.40.050 Test Permit. At the request of the applicant and prior to the issuance of the activation permit, the Fire Chief may grant a test permit for a period not to exceed ninety (90) days. This test permit is to authorize the applicant to operate the well on a test basis to determine if said well is capable of producing in the quantities specified in this code.

The test permit shall not be issued unless the drill site and oil operation is in compliance with all the provisions of this title and other applicable provisions of the Huntington Beach Ordinance Code except that equipment, materials and operations necessary for the conducting of the test shall be permitted.

Should the well fail to produce oil, gas or other hydrocarbon substances within the ninety (90) day period in a manner sufficient to demonstrate that it is capable of producing the quantities specified in this code, the applicant shall abandon the well within 180 days from the issuance of the test permit in accordance with the regulations of the Division of Oil and Gas and this title. (2491-7/81)

15.40.060 Cease and Desist Order. If, at any time, any operator is in violation of any of the provisions of this title, the fire Fire Chief may order compliance and set a reasonable period of time for same. If compliance is not obtained within the time period specified, the Fire Chief shall order the operator to cease and desist operation of the well immediately. The operator shall immediately comply with the order of the Fire Chief to cease and desist and shall not resume any operation at the site affected unless and until the written approval of the Fire Chief is obtained. (2491-7/81, 3037-5/90)